

**DEPARTMENT OF VETERANS AFFAIRS**  
**Justification and Approval**  
**For**  
**Other Than Full and Open Competition**

**1. Contracting Activity:** Department of Veterans Affairs, Network 16 Contracting Activity, Biloxi Medical Center. Justification for Other Than Full and Open Competition for 2237# 520-12-2-331-0091.

**2. Nature and/or Description of the Action Being Processed:** Carl Zeiss Medlive Trio Eye, 3-chip video camera and accessories designed for Ophthalmic Surgery. This requirement is an addition to existing Zeiss Medlive Trio Eye and related software and accessories already owned and operated by the VA Gulf Coast Veterans Health Care System. A firm-fixed price commodities contract is contemplated.

**3. Description of Supplies/Services Required to Meet the Agency's Needs:** The VA Medical Center Eye Clinic is requesting one each MedLive Trio Eye 3CCD/C-Mount NTSC, one each Video lens f=60MM with C Mount, one each Medialink 100, two each Ext HDD - Drive 160 GB 2.5" USB 2.0, and one each Sony LMD-2140 MD LCD Monitor. The total estimated value of the acquisition is \$ . The delivery date is 30 days After Receipt of Order (ARO).

**4. Statutory Authority Permitting Other than Full and Open Competition:**

(X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;

( ) (2) Unusual and Compelling Urgency per FAR 6.302-2;

( ) (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert Services per FAR 6.302-3;

( ) (4) International Agreement per FAR 6.302-4

( ) (5) Authorized or Required by Statute FAR 6.302-5;

( ) (6) National Security per FAR 6.302-6;

( ) (7) Public Interest per FAR 6.302-7;

**5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition Requires the Use of the Authority Cited Above (applicability of authority):**

**Only One Responsible Source (FAR 6.302-1) –** The VAGCVHCS' Ophthalmology Department currently owns and operates existing Zeiss Medlive Trio Eye Video Camera for Ophthalmic Surgery manufactured by Carl Zeiss Meditec and sold exclusively through Metro Medical Equipment and Supply. For continuity of research and for continuity of patient care, it is critical that our ophthalmologists utilize the exact same highly specialized equipment throughout the department. The only other alternative would be to replace existing ophthalmology equipment in addition to procuring the new equipment that is required. This would then, in-effect, double the cost of the VA's requirement because not only would we have to purchase the new equipment but we would also have to purchase other equipment to replace

the existing equipment so that all of the equipment would be the same and from the same manufacturer.

**6. Description of Efforts Made to ensure that offers are solicited from as many potential sources as deemed practicable:** This requirement will be initially posted on the Federal Business Opportunities website in a Pre-Solicitation Notice stating that we intend to negotiate directly with Metro Medical Equipment and Supply on a sole-source basis. We will correspond with any other companies that express an interest in this requirement.

**7. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:** The undersigned contracting officer does not anticipate any problems with determining the anticipated cost of this requirement to be fair and reasonable. The contracting officer will seek copies of published price lists that reflect the prices being advertised for the equipment. In the absence of any published price lists, the contracting officer will seek copies of contracts, purchase orders, or invoices that reflect the same or similar equipment that was sold to other Government or commercial customers.

**8. Description of the Market Research Conducted and the Results, or a Statement of the Reasons Market Research Was Not Conducted:** Comprehensive Market Research was conducted on this equipment. This ophthalmic/surgical equipment is not available from any GSA or FSS Schedules. The Zeiss Medlive Trio Eye is trademarked and was designed to meet the exclusive requirements of Ophthalmic Surgery. The result is a high-quality, 3-chip video camera for the Zeiss Surgical Microscope that delivers video images high in resolution, contrast, and detail.


**9. Any Other Facts Supporting the Use of Other than Full and Open Competition:** The manufacturer of this equipment, Carl Zeiss Meditec, was contacted on 12 June 2012 for information regarding the procurement of this item. Metro Medical is the sole distributor to all Government Accounts for these products.

**10. Listing of Sources that Expressed, in Writing, an Interest in the Acquisition:** If any other commercial sources of supply express an interest in this acquisition from viewing the Federal Business Opportunities website Pre-Solicitation posting, we will correspond with them concerning this requirement.

**11. A Statement of the Actions, if any, the Agency May Take to Remove or Overcome any Barriers to Competition before Making subsequent acquisitions for the supplies or services required:** If further expansion at the Biloxi VA occurs or if a total replacement of current ophthalmology equipment becomes necessary because of newer technology, we will research other company's equipment and related products available in the commercial marketplace and on VA and GSA Federal Supply Schedules in order to maximize competition.

**12. Requirements Certification:** I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

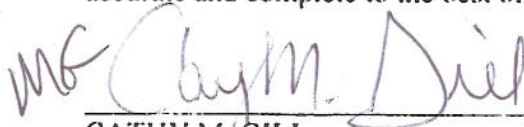


  
C. NEAL ELLIS, MD  
CHIEF SURGERY SERVICE  
VAGCVHCS - BILOXI MEDICAL CENTER


  
Date

**13. Approvals in accordance with FAR 6.304**

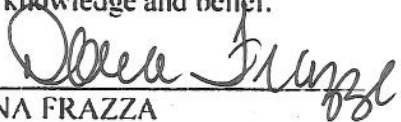
a. **Contracting Officer's Certification:** (required) I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.




CATHY M. GILL  
CONTRACT SPECIALIST  
BILOXI. NETWORK 16 CONTRACTING ACTIVITY

  
Date

b. **CHIEF P&C:** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

  
DONNA FRAZZA  
CHIEF, PURCHASING AND CONTRACTING  
BILOXI. NETWORK 16 CONTRACTING ACTIVITY

  
Date